

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

DENNIS KOESTERER, on behalf of himself  
and all others similarly situated,  
Plaintiff,

v.

WASHINGTON MUTUAL, INC., KERRY  
K. KILLINGER, DAVID C. SCHNEIDER and  
THOMAS W. CASEY,  
Defendants.

Civil Action No.: 07-cv-09801 (CM)

JOEL ABRAMS and BRIAN ROFFE,  
on behalf of himself and all others similarly  
situated,  
Plaintiff,

v.

WASHINGTON MUTUAL, INC., KERRY  
K. KILLINGER, DAVID C. SCHNEIDER and  
THOMAS W. CASEY,  
Defendants.

Civil Action No.: 07-cv-09806 (AKH)

**THE MASSACHUSETTS PENSION  
RESERVES INVESTMENT  
MANAGEMENT BOARD'S MOTION  
FOR (1) APPOINTMENT AS LEAD  
PLAINTIFF, (2) APPROVAL OF ITS  
SELECTION OF COUNSEL AS LEAD  
COUNSEL FOR THE CLASS, AND (3)  
CONSOLIDATION OF ALL  
RELATED ACTIONS**

ROBERT L. GARBER individually and on  
behalf of all others similarly situated,  
Plaintiff,

v.

WASHINGTON MUTUAL, INC., KERRY  
K. KILLINGER, STEPHEN J. ROTELLA, and  
THOMAS W. CASEY,  
Defendants.

Civil Action No.: 07-11422 (UA)

The Massachusetts Pension Reserves Investment Management Board ("PRIM"), by its counsel, hereby respectfully moves this Court to: (i) consolidate all related actions; (ii) be appointed Lead Plaintiff in the consolidated securities class action; and (iii) approve its selection and retention of Berman DeValerio Pease Tabacco Burt & Pucillo as Lead Counsel.

In support of this Motion, PRIM submits herewith a Memorandum of Law, the Declaration of Jeffrey C. Block, and a Proposed Order.

Dated: January 4, 2008

Respectfully submitted,

**ZWERLING, SCHACHTER &  
ZWERLING, LLP**

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*Counsel for PRIM and Proposed Lead Counsel for  
the Class*